

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BRIAN RUSSELL LOCKE,

Petitioner,

v.

Case No. 10-C-0025

WILLIAM POLLARD,

Respondent.

ORDER

On January 12, 2010, the petitioner, Brian Russell Locke, who is proceeding pro se, filed a petition for a writ of habeas corpus. The case was assigned to this court according to the random assignment of civil cases pursuant to 28 U.S.C. § 636(b)(1)(B) and General Local Rule 72.1 (E.D. Wis.).

At the outset, the court notes that although the petitioner has submitted a habeas petition, it is not on the appropriate form. A petition for a writ of habeas corpus is subject to the requirements of 28 U.S.C. § 2254 and the Local Rules for the Eastern District of Wisconsin. In pertinent part, Civil L.R. 9.1 (E.D. Wis.) provides:

Petitions for writs of habeas corpus by persons in state custody filed pursuant to 28 U.S.C. § 2254, . . . must be on forms supplied by the Court and must be filed with the Clerk of Court.

Therefore, the petitioner must submit his petition on the appropriate form. A copy of the form is enclosed.

The petitioner is to file his petition for a writ of habeas corpus on such form before **February 21, 2010**. Directions for the completion of the form are also enclosed. Failure of the

petitioner to file his petition on the appropriate form by **February 21, 2010**, may result in the dismissal of the action.

ORDER

NOW, THEREFORE, IT IS ORDERED that the petitioner shall file his petition for a writ of habeas on the appropriate enclosed form prescribed by this district as required by Civil L.R. 9.1 (E.D. Wis.) no later than **February 21, 2010**. Failure to do so may result in dismissal of the action.

Dated at Milwaukee, Wisconsin this 21st day of January, 2010.

BY THE COURT:

s/ Patricia J. Gorence
PATRICIA J. GORENCE
United States Magistrate Judge